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Attorneys for Plaintiffs and Putative Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

PACIFIC RECOVERY SOLUTIONS d/b/a
WESTWIND RECOVERY, MIRIAM
HAMIDEH PHD CLINICAL PSYCHOLOGIST
INC. d/b/a PCI WESTLAKE CENTERS,
BRIDGING THE GAPS, INC., SUMMIT
ESTATE, INC. d/b/a SUMMIT ESTATE
OUTPATIENT, on behalf of themselves and all
others similarly situated,

Plaintiff,

vs.

CIGNA BEHAVIORAL HEALTH, INC. a
Minnesota corporation, and VIANT, INC., a
Nevada corporation,

Defendants.

Case No.: 5:20-CV-02251-EJD

**NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(i); ORDER**

Complaint Filed: April 2, 2020

Trial Date: None Set

1 **WHEREAS**, the Complaint in the above-captioned matter was filed on April 2, 2020;
2 **WHEREAS**, Defendant VIANT, INC. filed a Motion to Dismiss on June 4, 2020 (Dkt. 40);
3 **WHEREAS**, Defendant CIGNA BEHAVIORAL HEALTH, INC. filed a Motion to
4 Dismiss on June 4, 2020 (Dkt. 42);
5 **WHEREAS**, Plaintiffs filed an opposition to CIGNA BEHAVIORAL HEALTH, INC.'s
6 Motion to Dismiss on June 25, 2020 (Dkt. 50);
7 **WHEREAS**, Plaintiffs filed an opposition to VIANT, INC's Motion to Dismiss on June 25,
8 2020 (Dkt. 51);
9 **WHEREAS**, an order granting Defendants' Motions to Dismiss with leave to amend in the
10 above-captioned matter was filed in this court on March 29, 2021 (Dkt. 83);
11 **WHEREAS**, Plaintiffs have not previously voluntarily dismissed any causes of action at
12 issue herein;
13 **NOW, THEREFORE**, Plaintiffs hereby dismiss this action in its entirety without prejudice
14 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

15 Dated: April 30, 2021

NAPOLI SHKOLNIK PLLC

/s/ Matthew M. Lavin

Matthew M. Lavin

Aaron R. Modiano

DL LAW GROUP

/s/ David M. Lilienstein

David M. Lilienstein

Katie J. Spielman


Attorneys for Plaintiffs

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2 **ORDER**

3 Upon request of Plaintiff and good cause appearing, IT IS HEREBY ORDERED that this action be
4 and hereby is dismissed without prejudice in its entirety. The clerk is directed to close this action.
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6 **IT IS SO ORDERED.**
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9 Dated: 5/3, 2021

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12 EDWARD J. DAVILA
13 United States District Judge
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